

REMARKS

Claims 1-7, 9-15 and 17-23 have been rejected. It is noted with appreciation that claims 8, 16, and 24 have indicated to be directed toward allowable subject matter. The present response amends claims 1, 5, 9, and 17 and adds new claims 25 and 26. Accordingly, claims 1-26 remain pending. Reconsideration and allowance of all pending claims are respectfully requested.

Claims 1-4, 9-12 and 17-20 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,433,921 issued to Wu, et al. Independent claims 1, 9, and 17, as amended, recite features neither disclosed nor suggested by the Wu, et al. reference. In particular, claims 1, 9, and 17, as amended, recite the use of a first dispersion compensating fiber and a second dispersion compensating fiber where the first dispersion compensating fiber has a fixed length and the second dispersion compensating fiber has a variable length. This feature is neither disclosed nor suggested by the art of record. Accordingly, claims 1, 9, and 17 are allowable. Claims 2-4, 10-12, and 18-20 are allowable for at least the reason of their dependence from the allowable independent claims.

Claims 5-7, 13-15 and 21-23 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Wu, et al. in view of U.S. Patent No. 6,417,959 issued to Bolshtyansky, et al. All of these rejected claims depend either directly or indirectly from the allowable independent claims 1, 9, and 17. The Bolshtyansky, et al. patent also fails to disclose or suggest the use of a first dispersion compensating fiber and a second dispersion compensating fiber where the first dispersion compensating fiber has a fixed length and the second dispersion compensating fiber has a variable length. Thus the Bolshtyansky, et al. references fails to remedy the deficiency of the Wu, et al. reference. Accordingly, claims 5-7, 13-15, and 21-23 are allowable for at least the reason of their dependence from allowable parent claims. Furthermore, it is respectfully submitted that it would not be obvious to combine the Wu, et al. patent and the Bolshtyansky, et al. patent as done by the rejection. The rejection under 35 U.S.C. §103 is therefore overcome and its withdrawal is respectfully requested.

Claims 25-26 are newly submitted and supported by the application as originally filed.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8694.

Respectfully submitted,

  
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